1:Srinivas E-5 (1940-42)1952 AW5 Coorg AW5

Above the *nāḍ*-headmen there are *sīmé*- (or *dēsha*-) headmen, of whom there are eight in all. The *sīmé*-headman has precedence over the *nāḍ*-headman at a gathering where both are present.

The division of the country into twelve *kombus* or 'horns', and the establishment of four *paṭṭis* (literally, the open paved yard before a Coorg's house) or courts for hearing appeals from village and *nāḍ*-assemblies, appear to be only administrative devices imposed from above, and not traditional institutions of the people which functioned vigorously. The *dēsha keṭṭ pāṭ*, a folksong which gives an account of the administrative system introduced by either Muddu Rāja or Doḍḍa Vīrappa,[1] mentions the existence of twelve *kombus*, and gives a list of the eight *sīmé*-headmen and four appellate courts. A caution should be entered here against treating this song as evidence of the system as it actually existed. The picture it presents is too tidy and systematized, and it is not improbable that it sacrifices accuracy for neatness and order.

It is likely that before Coorg was conquered by the Lingāyaṭ Rājas the biggest territorial unit was a group of two or three or more *nāḍs* led by a chief who called himself Nāyaka. The chiefs constantly fought among themselves, and this made it easier for the Lingāyaṭ Rājas to conquer them and extend their authority over the whole of Coorg.

Two or three *nāḍs* seem to have also come together for purposes of defence against a common enemy, for hunting, and for hearing appeals from the decisions of lower assemblies like the village-assembly and *nāḍ*-assembly. It is interesting to note, however, that while folklore contains occasional references to an appeal to an assembly composed of the men of two or three *nāḍs*, there is no reference to an appeal to a *paṭṭi*, one of the four appellate courts mentioned in the *dēsha keṭṭ pāṭ*.

XIII

The village represents a different type of solidarity from caste. The latter stresses the ties prevalent between members of the same caste scattered in different villages, whereas the former stresses the ties of the different castes living in the same village. Caste stresses the importance of the high castes and more or less ignores the lowest castes. When a Coorg says that when there is a wedding

[1] N. Chinnappa, op. cit., p. 29.

Kinship

The system of kinship among the Coorgs is of the type called classificatory. The most important feature is the use of the same kinship terms for mother's brother and father-in-law on the one hand and for father's sister and mother-in-law on the other. The fundamental feature of the system is the application of the same kinship terms in addressing most persons of the same generation and sex. 601

Social Organization

The Coorgs have a council of elders called Takka Mukkyastam who act as the moral censors of their social affairs, though they are not invested with magisterial power by Government. The authority of the village Takkas extends over offences against social customs, non-attendance of public feasts, and improper conduct during the same, as for example, drunkenness. The offender has to appear before the village elders at the *ambala*, an open council room on the village green, where the matter is discussed. The presiding Takka pronounces the verdict which may amount to a fine of ten rupees. In the event of refusal to pay the amount, the offender may be excommunicated, when he may appeal to the district Takkas, and their decision is final. An outcaste Coorg may be reinstated on payment of the fine. The influence of the official class, and increasing knowledge of the law tend to subvert the authority of the Takkas, who relax their control by accommodating themselves to changed conditions, and do not venture on any excommunication. 623 692 [634] [178]

Funeral Ceremonies

The Coorgs bury their dead. The common people are buried in the village burial ground, and children in some reserved place near the home. Men of importance have a tomb built over their graves with a masonry bull, the emblem of Siva, surrounding it. When a man dies, messages are sent round to every house of the village community. Each house must at least send one male and one female member to render service on the occasion. The Aruva of the family has the direction of affairs of the ceremonies. Under his direction the corpse is washed and dressed by the man who has followed the funeral summons, if the deceased is a man, but if a woman, by the women. The handling of the dead by the funeral party does not ceremonially defile them. It is enough for them to bathe and change clothes on reaching home. The corpse is then carried to the hall and laid on a funeral bed near to which a lighted lamp is placed. The whole company gather round and break out in loud lamentations, beating the breast and tearing the hair. Guns are also fired in honour of the dead. Towards evening, the corpse is brought into the yard in an open bier, a little water is poured into its mouth by the relatives and a piece of money is deposited in a copper dish, containing a little coconut milk, saffron, rice 764 [203] [431]

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

cribed to the curses and witchcrafts of enemies. The dead are supposed to trouble the living and to demand sacrifices and other atonements. Many of the Coorgs, though they may despise their old superstitions and neglect their idols, come to believe in nothing but money. The cruel despotism of their Rajahs engendered dissimulation, falsehood and treachery, and lying and deception, bribery and conspiracy are now often enough practised to ruin an opponent and to advance self-interest. The name of the Coorgs is still feared by their neighbours who look upon them as proud, irritable and revengeful men, and such popular estimations of the character of a neighbouring race are seldom without some foundation. It still may happen, that the head of a Coorg house on his dying bed will solemnly charge his sons to seek vengeance on his personal enemies, a bequest which occasions calamitous feuds between succeeding generations.

The Coorgs have hitherto been an unlettered people. The Rajahs, themselves without education, did nothing for the instruction of their subjects. Even the English Government has for many years hardly attempted systematically to raise them in intelligence and character. Only lately most praiseworthy efforts have been made to satisfy the awakened popular desire for education in Coorg, and the provisions made have already borne good fruit in supplying Government with a body of well trained officials, though education is still in its first stage of development.

The public morality of the Coorgs is controlled by a council of elders called "Takka-mukyasteru", who are the moral censors and managers of social affairs, without however any magisterial power from Government. This institution dates from the Rajahs' time and is hereditary in certain families. The authority of the village Takkas extends over offences against social customs, attendance at public feasts and proper conduct during the same, drunkenness and adultery.

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

The offender has to appear before the council of the elders of the village, at the Ambala (a council-room on the village green), where the matter is investigated and discussed. The presiding Takka pronounces the sentence which may amount to a maximum fine of rupees 10. Should the offender refuse to pay, he will be excommunicated, when he may appeal to the "Nád-mukyastaru", that is the assembly of all the village Takkas of the district, and their decision is final. An outcast Coorg may after years be restored to his former status on paying the imposed fine. To the influence of these guardians of public morality the orderly conduct of the Coorgs in public is principally owing. It is, however, to be feared, that the increasing wealth and influence of many Coorg houses modify the strict control of the Takkas and make them more complaisant to the rich, which tendency will inevitably result in a decline of their authority and a greater laxity of public morality. Intemperance, which in the times of the Rajahs was rigorously repressed, is now rather encouraged by the numerous liquor shops, which are decidedly on the increase all over the country. It requires a new impulse on the part of the better type of Coorgs to combine in vigorous combat, especially during their festivities, against this ruinous enemy, and a victory gained on this field will be more glorious and beneficial to the Coorgs than their repeated triumphs over their Mahomedan antagonists of old. When the Coorgs have once embraced the truth of Christianity and placed themselves under the regenerating influence of the Gospel, they will become a noble race, probably not much inferior in bodily, moral and intellectual powers to their present European Rulers!

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

and the poor wretch will rot away by degrees. To prevent such disasters, the Náta place is marked by a little stone enclosure. During the month of Scorpio (November—December) a lamp is lighted every evening to the Náta, and cocoanuts are offered as oblations.

c. Astrology and Sorcery.

The ministers of Coorg superstition, the Kanyas, Panikas, Malcyas and Bannas make a handsome livelihood. The Kanyas find much work for the conjuring confraternity, dependent, in a great measure, upon their friendly patronage. The Kanya (astrologer) has complete mastery over the minds and, to a great extent, over the pockets of the credulous Coorgs. For a consideration in the shape of a purse of rupees, he writes the horoscope of the individuals who apply to him. Such is his cleverness, that he requires only to know the name of a person, in order to calculate the year, month, day and hour of his nativity. He is also the oracle of the Coorgs in cases of sorcery and witchcraft. It is believed by the Coorgs, that misfortunes, such as diseases of men or cattle, and deaths in the family or the herd, rarely come upon them in the natural order of things. The knowledge of an all-ruling Providence seems to have no place in their minds. Every severe affliction or great loss is ascribed to magic art or "an enemy hath done this." To find out the author of the mischief, and to induce or force him to keep the peace, is the only method that suggests itself to such people for obtaining deliverance from trouble. Application is made to some famous Kanya, who consults his books and caudies (little shells used for dice), and discovers the secret enemy's place, house, stature, age, etc. The man is called before a Panchâyat, and the case is discussed in the Parpatigára's Cutchéri. If things are not settled before this tribunal, the parties go to the Subadar, and frequently the quarrel is carried before the

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

754 787 692 Superintendent, who has to get out of the difficulty as best he may. By the Panchâyat's self-constituted authority the wizard, or the person who has employed sorcery against his enemy, must promise to abstain in future; and in many cases reparation of some kind or other is made. In the days of the Rajahs such crimes were often punished with death. The British Government cannot, of course, follow the precedent. 754 787 648 [683] By a matter of fact order (No. 32 of 1858) from the Honorable Court of Directors to the Government of India: "Such "an offence as sorcery ought not to be recognised by any "British tribunal. If a pretended sorcerer is accused of "really injurious practices against the person or property of "any one, he shall be tried for these practices and if found "guilty punished accordingly and not for sorcery. The pre-"tended exercise of supernatural powers should be in itself "an offence and should be punished as a form of Fraud."

782 173 [776]

d. Substitutes for human sacrifices and other peculiar rites.

As among other Dravidian mountain-tribes, so also in Coorg, tradition relates, that human sacrifices were offered in former times, to secure favour of their *Grâma-Dévatas: Máriamma*, *Durga* and *Bhadra-Káli*, the tutelary goddesses of the Sakti-line, who are supposed to protect the villages or nâds from all evil influences. In Kirindádu and Koninchéri-gráma in Katiednád, once in three years, in December and June, a human sacrifice used to be brought to Bhadra-Káli and during the offering by the Pánikas the people exclaimed "Alamma!" (álu-amma i. e. a man oh mother!) Once a devotee shouted: "Alallamma, ádu!" i. e. "not a man, oh mother, a goat," and since that time a he-goat without blemish has been sacrificed. Similarly in Bellúr in Távaligherri-múrnád of Kiggatnád-ta'uq once a year by turns from each house a man was sacrificed by cutting off his head at the temple; but

7/1 [Errata: This should read "The favour". See Corrigenda, Cat. 116, p. 473 -- Analyst]

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

There are 31 cloth- 383 —

merchants, 32 tobacco-sellers, 41 petty dealers, 8 jewel-makers and 4 money-changers and bankers, which shows, that the community must be a thriving one. A school containing about 50 children is also maintained by the inhabitants, but like those at Sómawárpet, they show little inclination to render assistance for the establishment of a Government English School, though they seem to be anxious to have one, if every thing is done for them.

632 [463] [871]

2. ADMINISTRATION OF JUSTICE.

a. In the time of the Rájahs.

The Rájaha, having exercised sovereign power arbitrarily, never established any court of judicature, nor framed any code of judicial regulations. They published, however, a Hukum-náma (code) for the administration of revenue, to which they added a few paragraphs, simply defining the degrees of punishment which the district officials might in their judicial capacity inflict upon offenders without reference to the Huzur (Huzur, presence, highest authority). By usage (mámúl) the following judicial system became established:—

643 692 671

The Gauda, the headman of the village, enquired into the complaints preferred by the ryots residing in it, respecting civil cases or petty offences and settled them upon viva voce evidence either himself or through a Pancháyat (court of arbitration) according to circumstances. He was incompetent to adjudge cases of heinous crimes. The Gauda could try petty criminal offences, but had to commit the guilty person to the Kacheri of the Párapatiagár, who could award punishment not exceeding three days. Caste disputes were settled by the Kuláchára (guardian of the observances peculiar to caste), who had authority to punish to the amount of 12 fanams or Rs. 3 as. 8. The appeal from the Gauda or his

692

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

692 Panchâyat lay to the Pârapatingâr or to the Devân's Kacheri. The Pârapatingâr settled at his own responsibility or through a Panchâyat cases of small amount which, however, remained undefined.

685 When *theft* was committed in a village, the Gauda with the ryots exerted themselves to catch the thief and on apprehension carried him to the Pârapatingâr's Kacheri, where an enquiry was made, the stolen property, if possible, recovered and restored to the owner with an award of half the value of the stolen property as a punishment of the thief. In default 681 of payment, he was flogged or sentenced to work on the roads. 565 *Corporal punishment* was not restricted to any class of crime or people; even Devâns, who had incurred the displeasure of the Râjaha, were subjected to the last, some times swung by the royal hand!

682 In *murder cases*, the Pârapatingârs and the Subadâr of the district committed the criminal for trial to the Huzur, the 692 officials of which, under orders from the Râjah, examined the prisoner and reported the result. According to circumstances the murderer would be pardoned, fined, whipped, mutilated or executed, agreeably to the Râjah's orders. In 684 *cases of adultery* the guilty parties were severely and barbarously punished. *Manslaughter* committed in a state of intoxication or during hunting or whilst guarding the crops against wild 682 beasts, was leniently dealt with, especially if the unfortunate man reported the accident voluntarily before the Huzur had been informed of it. 684 *Eloping from the country* and *treasonable* 689 *acts against the Sirkar* were considered as the most heinous crimes, and the culprit, if caught, seldom escaped capital punishment, dictated with a savage vindictiveness. Of the 696 nature of these punishments it is difficult to credit the stories, that are told of their frequency and ferocity. The ordinary ones are said to have been: crushing to death by elephants, strangulation or decapitation by the large Coorg knife, a most

4: Richter M, G-5 (ca. 1856-1870)1870 AW5 Coorg AW5

efficient instrument for such an operation; others less expeditious but more cruel were: throwing the criminal over the precipice near the "Rájah's Seat" or nailing him to a tree and shooting him with arrows. In such a manner the Deván Kshouri Kariappanna was tormented to death by Lingarája. Punishments short of death were: dislocating the toes and fingers, suspending the offender by the ears, pounding out his teeth, amputating his nose and lips or otherwise mutilating his person. When of a capital nature, punishments were never public and every care was taken to conceal them from the people. The Rájahs' Siddi—or African—bodyguard acted as executioners. The sufferer was proclaimed as having deserted his home and a reward offered for his apprehension. If he was a man of consequence, instructions were given to make a diligent search after the fugitive, which of course proved ineffectual, when he was declared to have eluded pursuit and escaped to some of the neighbouring countries. Artifices of this nature could not long retain the power of imposing, but the danger of mentioning the transaction secured silence regarding it.

With so primitive and simple forms of judicial procedure, the enforcement of its precepts required no complicated system of police. Every villager was a voluntary policeman and every Jamma-ryot bound to render gratuitous service to the Sirkar. The limited extent of the country and the vigilant control over all its parts, enhanced by frequent communication by means of posted runners with all the Kacheris, kept the Rájahs well informed of any unusual occurrence and enabled them to send prompt orders to the district-officials.

b. Under the British Government.

From the Proclamation of Col. Fraser in April 1834 we have already seen, that he upheld the authority of the native officials, reserving to himself, as the representative of the Governor General, the prerogative of the Rájah.

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

692 Governor General, the prerogative of the Rájah. On the 1773 30th August 1834 he issued a set of "*Rules for the conduct* 691 *of the District functionaries in Coorg*" from which we cite the following paragraphs as they contain the principles and routine of the English administration until lately modified by new Acts.

"Civil Justice."

Para 55. "Whereas it is necessary for the due administration of justice in the Coorg country, to introduce regularity in the system which has prevailed, and to define the judicial power of the district functionaries, the following rules have been enacted and are published for general information and guidance.

56. The custom of adjusting differences by mutual composition of the parties being highly commendable, the Sirkar will be glad, when parties settle their disputes in this manner; or by the arbitration of a referee selected from among their neighbours. If an adjustment cannot be effected by this means, they shall then have recourse to the Sirkar functionaries.

57. The Patéls are empowered to hear, try and determine on their own responsibility upon oral evidence such suits as may be preferred to them for sums of money or other personal property the amount or the value of which shall not exceed five rupees.

58. If the parties be dissatisfied with the decision of the Patéls, they may appeal to the Párapatiagárs. The jurisdiction of the Patéls is to extend to all civil suits to the amount above limited, which may arise between the parties residing within the villages.

59. The Párapatiagárs at the head of their Kacheri may hear the appeals against the decision of the Patéls. They shall try on their own responsibility causes not exceeding Rs. 50 upon recorded evidence, and all causes above that sum

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

and not exceeding 100 Rs. shall be investigated through a Panchâyat which they shall convene for that purpose. The Párapatiagárs shall take cognizance of all civil suits arising within their respective nâds. Appeals against the decision of the Párapatiagárs lie to the Kacheri of the Subadár. 692 177 671

60. In hearing and determining civil suits the Párapatiagárs shall be assisted by the Shánabógas in writing the proceedings of the enquiry. The Shánabógas are to keep registers of the suits preferred to the Párapatiagárs, each complaint being entered in the order in which it may be received and will forward them after being signed by the Párapatiagárs to the Subadár's Kacheri.

61. The Subadár shall try and settle causes to the amount of Rs. 100 on his own responsibility; but in cases, where the sum in litigation may be above that sum and not exceeding Rs. 200, he shall assemble a Panchâyat and settle them. The Subadárs shall take cognizance of all suits arising within their respective taluqs.

62. In trying and determining suits, the Subadár shall be assisted by the Sheristadars and the Gumastas in writing the proceedings of the enquiry. The Sheristadars and the Gumastas are to keep registers of the suits preferred to the Taluq-Kacheri, entering each plaint in the order in which it may be received and forwarding them monthly to the Daryâft-Kacheri.

63. A Kacheri, denominated the Daryâft-Kacheri, and composed of one of the three Devâns and the Karanika or any two of these, accordingly as they may be engaged or otherwise in their respective and more specific duties, has been established at the Huzur. It shall hear all appeals against the decision of the Subadárs and determine them. This Kacheri shall decide on its own authority causes from Rs. 200 to Rs. 1000 upon recorded evidence.

64. All causes above Rs. 1000 and not exceeding Rs. 3,000 shall be inquired into and settled by a Panchâyat which

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

692 671 177 will be convened by the Daryáft-Kacheri. The Daryáft-Kacheri assisted by a Pancháyat shall make inquiry into causes beyond Rs. 3,000 and submit the proceedings to the Huzur and carry its orders into effect.

693 671 177 65. The Daryáft-Kacheri shall be assisted by two Mutsudies of the Deván-Kacheri in writing the proceedings of the inquiries they make. The Mutsudies are to keep registers of all suits decided by the Daryáft-Kacheri and preserve in regular order the records connected with that Kacheri, distinct from that of the Deváns. The Daryáft-Kacheri shall submit for the perusal of the Huzur these registers monthly.

66. The plaintiff and defendant in a cause shall be allowed to employ their relations or agents to plead before the Párupatingárs, the Subadárs and the Daryáft-Kacheri, as also before the Panchávats assembled by them, furnishing them with power for that purpose.

694 671 177 67. The plaints shall clearly state the name and residence of the complainant as well as of the person complained against, the grounds on which the complaint is founded, the amount of value of the property claimed and all such circumstances as may serve for the elucidation of the case.

68. The Párupatingárs or Subadárs may send peons either with a verbal message or written summons (yádást) to the defendant, directing him to appear in order to answer the complaints preferred against him.

69. The complainant shall be directed to accompany the peons entrusted with the summons, or otherwise to send relations or agents for the purpose, indicating the residence of the defendant and identifying his person.

695 671 177 70. After the defendant makes his appearance the complaint shall be read over to him and he shall be directed to give an answer to it on a day which shall be fixed, he being furnished with a copy of the complaint.

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

78. The Nád- and the Táluq-Panchâyats shall be composed of respectable inhabitants, or Chettics, or merchants. When the parties in suits are of different castes, the Párapatiagárs or Subadárs shall, if practicable, select an equal number of persons of the caste, to which each party may belong and also one or two of a caste different from that of either of the parties. The same rule shall be observed by the Daryáft-Kacheri.

79. Appeals against the decision of a Párapatiagár shall be made to the Subadár within 30 days from the date on which the award may be passed and given to the party; and those against the decision of the Subadárs shall be made to the Daryáft-Kacheri within 45 days. If after the expiration of this time the party appealing assign good and satisfactory reason for his delay, the appeal shall be admitted. Provided, however, that no appeal shall be admitted from any case decided by a Panchâyat, except on the ground of gross partiality or dishonesty on the part of the arbitrators.

80. The expense of summoning shall be paid in the first instance by the party by whom they are summoned; but the functionary or the Panchâyat shall determine, when the award is passed, by whom the expense shall be finally borne according to the merits of the case.

Criminal Justice.

81. The Gauda is authorised to reprimand or admonish an offender for stealing vegetables, or a few seers of grain, or the commission of similar trifling offences within the jurisdiction of his village. He shall seize and make over all other offenders to the Párapatiagárs.

82. The Párapatiagár shall confine for 10 days, or fine in a sum not exceeding five rupees, according to the circumstances of the case, any offender charged with disobedience

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

692 671 177 881 of orders, or with assaulting another person, or using abusive language or with stealing property of the value of 10 rupees.

83. The Párapatiagár may release persons accused of the above offences on their finding bail.

84. All persons deserving higher punishment than what has been mentioned above, shall be sent to the Subadár by whom they shall be tried. The Subadár shall confine for 30 days, or fine in a sum not exceeding 16 rupees, according to the circumstances of the case, any person accused of having stolen property of the value of from 10 to 30 rupees, or charged with disobedience of orders or with assaulting another person or using abusive language.

[694] 85. The Subadár may release persons accused of these offences on their finding bail.

86. Offenders accused of thefts not attended with violence 692 and of which the amount or value may be above thirty and 671 not exceeding one hundred rupees, or of the other offences 177 specified in para 84, but deserving a higher punishment than [685] what is therein mentioned, shall be sent for trial to the Daryáft-Kacheri. In these cases the Daryáft-Kacheri is empowered to sentence an offender to imprisonment not exceeding two months, or to levy a fine not exceeding twenty rupees. This Kacheri may release persons on bail.

[694] 87. The Párapatiagárs and Subadárs are directed to send with the least practicable delay to the Daryáft-Kacheri all [681] persons accused of thefts attended with violence or exceeding in amount or value thirty rupees, burglaries, highway or gang robberies, arson and murder, etc. after they are apprehended, together with their depositions.

[623] 88. The Daryáft-Kacheri assisted by the Panchayat shall make enquiries into the aforementioned cases, and in the event of their finding the fact against the accused, they shall submit their proceedings to the Commissioner (respective Superintendent since October 1834) who shall pass judgment thereon.

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

89. The numbers of the Panchâyat shall in no case be less than five nor more than thirteen. The prisoner shall have the power of challenging any of the members as far as the number five, before the commencement of the enquiry, assigning reasons for the same, which shall be taken into consideration by the Daryâft-Kacheri. In the event of these reasons being deemed valid, the member who is challenged shall be removed and another substituted. The majority of the Panchâyat shall concur in the verdict, whether in civil or criminal cases, to render it valid. 692 671 177 [623]

90. Corporal punishment by the officers of Government is prohibited in every possible case throughout the whole of Coorg. [681]

91. There are three modes of passing sentence of imprisonment. One is to sentence an offender to be confined and to be put to perform hard labour on the roads. The second is to sentence the criminal to be imprisoned and be made to work in the prison; and the third is to pass sentence of imprisonment only, without labour. These three modes may be adopted by the Daryâft-Kacheri in passing sentence against offenders according to the degree of guilt proved against them. 695 671 177 697

92. The Pârapatiagâr of each Nâd shall send in monthly to the Subadâr of his taluq a register of offenders punished by him. 692 671 177

93. The Subadâr in like manner shall send a register to the Daryâft-Kacheri, which will submit to the Huzur an abstract of their registers, including the offenders punished by their own award.

94. All disputes relating to caste are to be settled by the heads of the respective castes according to the usage and custom of the country. [564]

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

Whenever information is lodged of a person having
died a violent death, the functionaries shall proceed to the [671]
spot where the dead body may have been found. They shall [177]
examine the body and ascertain, whether there are any marks [625]
of violence upon it, or bruises, the number of them, and with [682]
what weapons the wounds or hurts may appear to have been
given. The above inquiries shall be made in the presence
of two or three creditable persons, and being committed to
writing the proceedings shall be sent to the Daryáft-Kacheri,
afterwards the functionaries shall endeavour to trace the per-
sons who may have murdered the deceased and apprehend
them.

49. The Subadárs of the taluqs on the frontier shall be [635]
particularly vigilant in apprehending robbers and vagabonds
who may come to this district from the neighbouring countries
to commit mischief.

50. The magisterial authority of the Subadárs does not [635]
extend to the pettas, where Kotwals are employed. The police [692]
of the pettas is entrusted to the charge of the Kotwals and
they will preserve the peace there. In cases where Kotwals [625]
may require the assistance of the Subadárs or the Revenue
officers who may be near the pettas, they shall be promptly
furnished with the aid demanded.

51. In cases where any person of whatever caste may
die a natural death without having relations or friends present,
the Sirkar servants shall cause the corpse to be buried or
burned according to circumstances at an expense of from one
to three canterai fanams. But if the deceased leaves property [768]
and no relations to claim it, a sufficient portion of the pro-
perty shall be appropriated for the performance of the funeral
ceremonies, and the remainder lodged in the Public Treasury
until claimed.

52. Any person who has laboured under the disease of [766]
leprosy shall not be buried in the earth. The corpse of such
person shall be burned, or if the caste of the deceased do not

4: Richter M, G-5 (ca. 1856-1870) 1870 AW5 Coorg AW5

merits as a ruler, the Marquis of Dalhousie has borne a high and honorable testimony in a despatch, dated Fort William, 7th February 1856, which, however, is too long for us to quote. The administrative genius of Sir Mark Cubbon's successor, L. Bowring Esq., C. S. I., asserted itself in a different manner and shone in a peculiar light. With critical acumen and administrative skill of a high order he penetrated, analysed and reformed every branch of the existing administration and placed it on a level with the most advanced systems of modern Government in India. He left India for good in March 1870, highly esteemed and deeply regretted by the natives of Mysore and Coorg.

With the settlement of European Planters in Coorg during the last ten years the admission of pleaders into the Courts and the more elaborate and refined system of judicature consequent to the introduction into the province of the Indian Penal Code in 1861, the Criminal Procedure Code in 1862, the Indian Stamp Act in 1862, the Registration Act in 1865, the Indian Succession Act in 1865, the Criminal High Court Act in 1865, the Forest Act in 1866, and others, the establishment of a better constituted description of Courts became necessary.

Before the 1st December 1868 the Civil and Criminal Courts in Coorg were thus constituted:

The *Subadár's Court.* Each of the six taluqs was presided over by a Subadár exercising both civil and criminal jurisdiction. In addition to these were two Petta- or Town-Subadárs—formerly called Kotwals—stationed at the two principal towns of Mercara and Virájenderpet, who were vested with the same powers as the former. The civil jurisdiction of the Subadár extended to Rs. 200, and their criminal powers were those of a Sub-Magistrate of the Second Class. These officials were assisted in their revenue, magisterial and police duties by 24 Párapatiagárs, 13 of whom had been in-

† [Errata: This should read "Ten years, the." See Corrigenda, Cat. 116, p. 494 -- Analyst]

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vested, from time to time, according as they had been considered qualified and competent to exercise the same, with criminal powers equivalent with those of the Subadárs, but they did not exercise any civil jurisdiction.

The *Daryáft-Kacheri* was in so far modified, that it was composed of a Moktasir (native judge) and four Panchayatdárs who were selected by rotation from among the most intelligent of the various classes of the people and who received an allowance of a rupee a head per day for such days as the Court actually was sitting. It exercised original civil jurisdiction in suits, the value of which ranged from Rs. 200 to 3,000, and had appellate jurisdiction over the decisions passed by the Taluq-Subadárs. This institution which had a certain amount of time honored prestige amongst the Coorgs, was somewhat anomalous and exceptional in its character when compared with the system of judicature in force in the other parts of Her Majesty's territories.

In the *Assistant Superintendents' Courts*, presided over respectively by a Native and an Englishman, the former exercised the powers of a Sub-Magistrate, the latter had been vested with the full powers of a Magistrate.

In the *Superintendent's Court*, the Superintendent of Coorg exercised original jurisdiction in civil matters extending from Rs. 3000 to any amount and was the Magistrate of the District. Appeals from the decisions passed by the Daryáft-Kacheri were made to him.

A *Sessions Court* was established by vesting the Superintendent of the Ashtagrám division of Mysore, with which Coorg had been incorporated for a short time (Nov. 1862—July 1863) with the powers of a Sessions Judge in disposing of cases, with which, as Assistant Sessions Judge under Act XV of 1862 the Superintendent was incompetent to deal. Though this was a somewhat inconvenient arrangement, yet it pleased the Coorgs better than the annexation of their country to

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Mysore, against which measure they strongly protested, being greatly averse to any subordination to the Brahmin officials of Mysore on their immediate frontier. 692 177 [648]

The *Court of the Judicial Commissioner* was highest appellate Court, and exercised control over the judicial administration of the province in all its branches. Sentences of death passed by the Superintendent of Ashtagrám as Sessions Judge in Coorg, required the confirmation of the Judicial Commissioner. This office was first instituted in 1856 by the Supreme Government.

With the 1st December 1868 the Coorg Courts' Act XXV of 1868 came into operation. Its primary object was to settle and define the jurisdiction of the various civil and criminal functionaries in Coorg and the immediate occasion for it arose, when the two Assistants were appointed, whose powers it was necessary to determine. As a necessary consequence the Daryáft-Kacheri was abrogated, its last judge being the first Coorg pupil of the Central School in 1856, Colavanda Cariappah, now Subadár of Mercara taluq. 692 671 177

The civil jurisdiction conferred by the Act on Officers of various classes is limited as follows:

Subadárs of the 2nd class may determine suits to the value of	Rs. 100.
Subadárs of the the 1st class	„ 300.
Assistant Superintendent of the 2nd class	„ 1000.
Assistant Superintendent of the 1st class	„ 3000.
The Superintendent of Coorg without limit.	

The Chief Commissioner may invest any Párapatiagár or Naib-Subadár with power to try certain kinds of suits for money or moveable property not exceeding in value Rs. 50. Appeals lie from the Subadárs to the Assistant Superintendents; from the Assistants to the Superintendent of Coorg; and from the Superintendent to the Judicial Commissioner. Special appeals lie from the decisions of the Superintendent

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671 and from those of the Assistants to the Judicial Commissioner;
692 but in suits of the nature of Small Causes no special appeal is
177 allowed for less than Rs. 300.

On the criminal side, the Act provides that for the purpose of criminal jurisdiction the Superintendent of Coorg shall be taken to be the chief Officer charged with the executive administration of a district in criminal matters. Appeals against the sentences of the Magistrates with full powers in Coorg shall lie to the Judicial Commissioner. The Sessions Judge, appointed by the Governor General, shall, as often as may be necessary for the trial of offenders, hold sessions in the province.

However flattering the notion may be, that the judicial administration of Coorg is now on a level with the most advanced stage of judicial reform in India, one cannot, on seeing the backward state of civilization of the majority of the people for whom this refined apparatus of justice is intended, help regretting the disappearance of those simple and practical institutions, adopted by General Fraser, which best suited the wants and comprehension of the natives and, in the absence of stamp duties, secured to them cheap justice! [1] However, as the Judicial Commissioner truly remarks, "the more complicated and difficult portions of the law affect, not the "simple mountaineer" so much, as the coffee planter and the trader; and when the business of life is at all complex, almost any ascertained rules must be preferable to no rule."

697 Of the *Jail* it need only be said, that its locality in an
177 airy corner within the fort walls is healthy, and if the practicable alterations and improvements were carried out, good and sufficient accommodations for the small number of convicts, averaging 70 per annum, could be afforded without going to the expense of a palatial new building outside the [692] fort as proposed. The Regimental Surgeon, in civil charge

[1] [Errata: This should read "cheap and speedy justice". See corrigenda, Cat. 116, p. 999 — Analyst]

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of the Jail, exercises the powers of a Magistrate over its inmates, who are superintended by a European Jailor.

The *Police*, with the exception of a small regular body of a miserable description in Mercara and Vírájenderpet, still maintains its rural character, as best adapted to the country.

According to the returns of the annual "Judicial Reports," the inhabitants of Coorg are neither remarkable[1] for their litigiousness, nor for an excess of criminality.

3. ADMINISTRATION OF REVENUE.

a. Land Revenue.

The Land Revenue constituted the chief source of the wealth of the Coorg Rájahs. It still forms the principal item in the annual income of Government. It will, therefore, be of interest to analyze the mode of assessment, peculiar to Coorg, for generations in use and still upheld by the British Government. The settlement was made in 1812[2] by Lingarájender, who caused the Shist accounts to be preserved in a kind of Domesday-Book in which all the vargas or farms are registered with great detail and accuracy, noting also the tenure under which each varga is held.

According to this *quasi settlement in perpetuity* we have to distinguish, besides the rentfree holdings, *four different kinds of tenures of land: Jamma, Ságu, Umbali and Jódi-tenure*, an arrangement nearly allied to what is called "Shivappa Naik's Shist" i. e. an assessment fixed in the time of Shivappa Naik, a polygar of Naggara.

The *Jamma-tenure*, from the Sanscrit "janma," a word conveying the meaning of "hereditary by birth," is the holding of the privileged class, called *Jamma-ryots*, comprising: Coorgs, Amma-Coorgs, Hegadas, Eimbokalas, Airis, Koyavas, Moplas and Gaudas. The light assessment of Rs. 5 per 100 butties of wet land with its accompanying Báné and Bariké was made originally on condition of military and general

[1] [Errata: this should read "remarkable nor neither." See Corrigenda, Cat. 116, p. 974 -- Analyst]
[2] [Errata: this should read "in 1813." -- Analyst]